

ELECTION OF SPECIES

Per the Office Action dated 09/09/2004 requiring identification of a single species, applicant elects Species IV comprising Figures 4 and 4A for prosecution on the merits.

LISTING OF CLAIMS READABLE ON THE ELECTED SPECIES

Claims # 1, 2, 4, 8, 9, 10, 11, 12, 13, 15, 33, 34, 44, 45, 46, 47, 50, 51, 55 are readable on the elected Species.

WITHDRAWAL OF CLAIMS

Applicant withdraws claims # 6, 17, and 24 relating to Species VI (chevron design) from current consideration. Applicant's right to reconsideration per MPEP 809.04 is reserved.

DISCUSSION

Applicant respectfully submits that claims #1, 12, and 34 are generic to all species based upon the following.

Claim 1 (as amended 06/19/2003) teaches "a slidingly engageable fastening device operable upon application of a relative shearing force..." with at least one portion which includes a base having a plurality of fenestrations and stems attached to the base at one end with an undercut segment at their distal end so that adjacent pairs of such stems provide an aperture for receiving other undercut segments.

Claim 12 (amended 06/19/2003) teaches "a slidingly engageable fastening device operable upon application of a relative shearing force..." also including at least one fenestrated base with islands (i.e. stems with undercut segments at their distal end), such islands (in adjacent pairs as per drawings Figs. 1-7) forming generally tapered apertures for receiving other islands.

Claim 34 (amended 06/19/2003) teaches "an interlocking device for slidably engaging a plurality of first islands..." which also includes a fenestrated base and a plurality of islands with undercut segments defining apertures for receiving other islands.

The species can be seen to be related in that they share common structural characteristics (i.e. fenestrated base, islands/stems with undercut segments, generally tapered apertures between pairs of islands) as well as functional characteristics (fastening, sliding engagement by relative shearing force). Each of the species illustrated in Figs. 1-5, 7, as described in the specification on page 9, pp 2 and page 14-19, represent a portion of a slidably engageable fastening device (interlocking device) with a fenestrated base, a plurality of islands attached to the base comprised of stems with undercut segments at their distal ends, and apertures for receiving other islands (other undercut segments) between adjacent pairs of such islands. Therefore the species are clearly related and at least claims 1, 12, and 34 appear to be generic to all species (species VI withdrawn).

LISTING OF CLAIMS READABLE TO EACH SPECIES

Applicant further represents that at least the following claims are readable from species I, II, III, IV, V, VI, and VII respectively and should be considered.

Species I Claims 1, 2, 4, 8, 9, 10, 11, 12, 13, 15, 33, 34, 44, 45, 46, 47, 50, 51, 55

Species II Claims 1, 2, 3, 8, 12, 13, 14, 33, 34, 44, 45, 46, 47, 50, 51, 55

Species III Claims 1, 2, 5, 8, 12, 13, 16, 33, 34, 44, 45, 46, 47, 50, 51, 55

Species IV Claims 1, 2, 8, 12, 13, 34, 44, 45, 46, 47, 50, 51, 55 as elected above

Species V Claims 1, 2, 7, 8, 12, 13, 18, 34, 44, 45, 46, 47, 50, 51, 55

Species VI presently withdrawn

Species VII Claims 1, 2, 3, 12, 13, 14, 19, 20, 21, 22, 23, 24, 33, 34, 44, 45, 46, 47, 50, 51, 52, 55

Claims 25-32, 53, 54 regard attachment mechanisms which may generally be incorporated with any species.